

### REMARKS

This Election and Amendment is in response to the Office Action, dated June 25, 2009 ("Office Action"). Claims 1-8, 10-11, 13-14, 16-18 are pending in the instant application (claims 9, 12, and 15 having been previously canceled). No new matter is added. Examination of the claims in view of the ensuing remarks is respectfully requested.

In the Office Action, Examiner required election among groups of the claimed invention described in Groups I-V under 35 U.S.C. §§121 and 372, as follows:

- I. Claims 1-8, drawn to a protein comprising a tandem repeat of APO B or truncation thereof, wherein the tandem repeat or truncation thereof is from an HSPG receptor binding region of APO B.
- II. Claims 9 and 10, drawn to using the protein to treat viral infection.
- III. Claims 11 and 12, drawn to an agent that increases the activity of the protein.
- IV. Claims 13-16, drawn to a nucleic acid sequence encoding the protein.
- V. Claim 17, drawn to using the nucleic acid to treat viral infection.

It appears that the Examiner has inadvertently omitted claim 18. As claim 18 is dependent upon claim 4, Applicant believes that claim 18 would be encompassed by Group I. Applicant hereby elects the embodiment of the instant invention described in Group I, upon which claims 1-8 and 18 are readable, for prosecution on the merits.

All of the claims in the application are now believed to be allowable. Favorable consideration and a Notice of Allowance are earnestly solicited. If for any reason Examiner finds the application other than in condition for allowance, Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 633-6800 to discuss the steps necessary for placing the application in condition for allowance.

Please charge any additional fees, including any fees for extension of time, or credit overpayment to Deposit Account No. 04-0258.

Respectfully submitted,  
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